

SENATE BILL NO. 304

INTRODUCED BY JOHNSON, BOHLINGER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING ~~THE GOVERNOR~~ A COMMITTEE TO ~~DETERMINE~~
5 STUDY THE ROLE OF THE STATE COMPENSATION INSURANCE FUND AND TO DETERMINE IF IT IS
6 COST-EFFECTIVE AND IN THE BEST INTEREST OF THE STATE, MONTANA EMPLOYEES, AND MONTANA
7 EMPLOYERS TO SELL ALL OR A PORTION OF THE STATE COMPENSATION INSURANCE FUND ASSETS
8 AND LIABILITIES AND TO STUDY THE CREATION OF AN ASSIGNED RISK POOL; ~~REQUIRING THE~~
9 DEPARTMENT OF LABOR AND INDUSTRY TO PROVIDE SUPPORT TO THE COMMITTEE; PROVIDING FOR
10 A SOLICITATION OF PROPOSALS FOR THE PURCHASE OF THE ASSETS AND LIABILITIES; PROVIDING
11 FOR A REPORT TO THE 59TH LEGISLATURE; REQUIRING LEGISLATIVE APPROVAL OF A SALE; AND
12 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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16 NEW SECTION. SECTION 1. STUDY COMMITTEE. (1) THERE IS A COMMITTEE TO STUDY THE ROLE AND THE
17 SALE OF THE STATE COMPENSATION INSURANCE FUND AND THE CREATION OF AN ASSIGNED RISK POOL AS PROVIDED IN
18 [SECTION 2]. THE COMMITTEE CONSISTS OF:

19 (A) TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE SPEAKER, ONE FROM EACH PARTY;20 (B) TWO MEMBERS OF THE SENATE APPOINTED BY THE PRESIDENT, ONE FROM EACH PARTY;21 (C) A PERSON APPOINTED BY THE LEGISLATIVE AUDITOR;22 (D)(C) A REPRESENTATIVE OF THE STATE AUDITOR'S OFFICE, APPOINTED BY THE STATE AUDITOR;23 (E)(D) A REPRESENTATIVE OF THE GOVERNOR'S OFFICE, APPOINTED BY THE GOVERNOR;24 (F)(E) AN INSURED EMPLOYER OF THE STATE FUND WHO IS ALSO A MEMBER OF THE STATE FUND BOARD,25 APPOINTED BY THE GOVERNOR;26 (G)(F) AN AGENT A REPRESENTATIVE OF A PLAN NO. 2 INSURER, APPOINTED BY THE GOVERNOR; AND27 (H)(G) A REPRESENTATIVE OF PLAN NO. 1, APPOINTED BY THE GOVERNOR.28 (2) THE MEMBERS OF THE COMMITTEE, OTHER THAN THE LEGISLATOR MEMBERS, SHALL SERVE FOR NO29 COMPENSATION BUT ARE ENTITLED TO REIMBURSEMENT FOR TRAVEL, MEALS, AND LODGING AS PROVIDED IN TITLE 2,30 CHAPTER 18, PART 5. THE LEGISLATOR MEMBERS ARE ENTITLED TO COMPENSATION AND EXPENSES AS PROVIDED IN

1 5-2-302.

2 (3) THE COSTS OF THE COMMITTEE AND THE EXPENSES ARE THE RESPONSIBILITY OF THE STATE COMPENSATION
 3 INSURANCE FUND, NOT TO EXCEED \$100,000. THE STATE FUND DEPARTMENT OF LABOR AND INDUSTRY STATE FUND IS
 4 RESPONSIBLE FOR PROVIDING SUPPORT FUNCTIONS TO THE COMMITTEE AND SHALL PROVIDE THE SUPPORT FUNCTIONS
 5 UNDER THE DIRECTION OF THE COMMITTEE.

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7 NEW SECTION. Section 2. Sale STUDY OF ROLE AND POSSIBLE SALE of state compensation insurance
 8 fund -- separate determinations -- submission of legislation -- legislative approval. (1) Subject to Article
 9 VIII, section 13, of the Montana constitution, ~~the governor~~ THE COMMITTEE ESTABLISHED IN [SECTION 1] SHALL STUDY
 10 THE ROLE OF THE STATE COMPENSATION INSURANCE FUND AND shall determine if it is cost-effective and in the best
 11 interest of the state, Montana employees, and Montana employers to sell all or a portion of the state
 12 compensation insurance fund assets and liabilities AND TO CREATE AN ASSIGNED RISK POOL.

13 (2) ~~The governor~~ COMMITTEE shall make separate determinations concerning THE ROLE OF THE STATE
 14 COMPENSATION INSURANCE FUND AND the sale of the assets and liabilities for the portion of the state compensation
 15 insurance fund related to claims for injuries resulting from accidents that occurred before July 1, 1990, and
 16 claims for injuries resulting from accidents that occur on or after July 1, 1990, AND CONCERNING THE CREATION OF
 17 AN ASSIGNED RISK POOL.

18 (3) ~~The governor~~ COMMITTEE may use the expertise of all executive branch agencies and personnel and
 19 any consultants determined to be necessary in making the determinations required by ~~subsection~~ SUBSECTIONS
 20 (1) and (2).

21 ~~————(4) If the governor~~ COMMITTEE ~~determines that it is in the best interest of the state, Montana employees,~~
 22 ~~and Montana employers to sell all or a portion of the state compensation insurance fund assets and liabilities,~~
 23 ~~the governor~~ COMMITTEE ~~shall solicit proposals for the purchase of all or a portion of the state compensation~~
 24 ~~insurance fund assets and liabilities.~~

25 ~~(5)(4)~~ (4) ~~The governor~~ COMMITTEE shall report to the 59th legislature on the determinations made pursuant
 26 to this section. As a part of the report, the ~~governor~~ COMMITTEE shall prepare any necessary legislation to
 27 implement a recommended sale. A sale of the assets and liabilities of the state compensation insurance fund
 28 may not be made unless the sale is approved by the 59th legislature.

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30 NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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